

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re-application of: B. P. Kelkar et al.Date: October 2, 2003Serial Number: 10 / 629,448Group Art Unit: not availableFiled: July 29, 2003Examiner: Unknown

Title: Method, Program Product and  
Apparatus for Discovering Functionally  
Similar Gene Expression Profiles

IBM CORPORATION  
Intellectual Property Law MD90/201-1  
8501 IBM Drive  
Charlotte, NC 28262

**INFORMATION DISCLOSURE STATEMENT (IDS) UNDER 37 CFR 1.97**  
**Assistant Commissioner For Patents, Washington, D. C. 20231**

Dear Sir:

The attached Form PTO/SB/08A provides a listing of information which may be relevant to the subject application. This IDS is not intended as a representation that better art is not available, nor that the information provided is prior art. This IDS is submitted under: 37 CFR 1.97(b). The Commissioner is authorized to charge payments of any associated fees required under 37 CFR 1.17(p) and (i) (1) to Deposit Account No. 09-0469.

WO0237102A2 "Methods for Analyzing Dynamic Changes in Cellular Informatics and Uses Therefor" by Huang and Ingber describes analysis of dynamic changes in cellular processes and representing cellular processes as dynamic signatures or phase portraits. The signature is based upon time dependent molecular changes that are associated with a transition between distinct stable cellular behavioral states.

WO0134789A2 relates to gene expression clustering by statistically significant connections.

US Patent 6,420,108 relates to a computer aided display for comparative gene expression.

US 2002/0019704 is a method for analyzing a plurality of sets of values associated with a plurality of genes to identify those genes whose associated values differ by an amount of statistical significance.

US Patent 6,185,561 relates to organizing expression information in a way that facilitates data mining.

## CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that I am depositing the enclosed or attached correspondence with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Alexandria Virginia.

On 2 October 2003KARL O. HESSE

Name of person mailing paper

Karl O. Hesse 2 Oct 2003  
 Signature Date

Respectfully submitted,

By: Karl O. HesseAttorney: Karl O. HesseRegistration No. : 25,398Telephone No. : 704-594-8304IBM Docket # : CHA92000003

037 0 6 2003

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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## Complete if Known

Application Number	10 / 629,448
Filing Date	July 29, 2003
First Named Inventor	Bhooshan P. Kelkar
Art Unit	
Examiner Name	
Attorney Docket Number	CHA920030003

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 2002/0019704 A1	Feb. 14, 2002	Tusher et al.	Abstract
		US- 6,185,561 B1	Feb. 6, 2001	Balaban et al.	Abstract
		US- 6,420,108 B2	Jul. 16, 2002	Mack et al.	Abstract
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## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO0134789A2	05-17-2001	Lukashin, Alex	Abstract	
		WO0237102A2	05-10-2002	Huang, Sui	Abstract	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND  
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